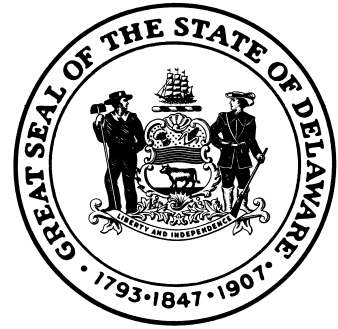




TITLE 16 -- HEALTH AND SAFETY



§ 6606. State Fire Marshal -- Appointment; Term; Salary.

- (a) The office of State Fire Marshal is established. The State Fire Prevention Commission shall appoint a person qualified by his previous training and experience in endeavors similar to those herein prescribed as State Fire Marshal. The State Fire Marshal shall be a citizen of this State and a resident for at least 5 years prior to his appointment. He shall receive such salary as may be set by the Commission within the limits set by his whole time to the duties of his office. Whenever a vacancy shall occur in the office of State Fire Marshal for any reason other than the expiration of a term, the vacancy shall be filled by the State Fire Prevention Commission for the balance of the unexpired term. The office of the State Fire Marshal shall be located at the State Capitol in quarters provided by the State.
- (b) The State Fire Marshal shall appoint all authorized personnel pursuant to Merit System rules and regulations and administer the usual oath as required. Salaries of all personnel to include appropriate position classification, upgrading and promotions shall be in compliance with the provisions of Chapter 59 of Title 29.
- (c) The Fire Marshal of any political subdivision of this State, having such an office duly created by ordinance or resolution before January 1, 1959, shall serve as an Assistant State Fire Marshal. Within the limits of the said political subdivision, he shall have exclusive jurisdiction exercising the duties and powers of the State Fire Marshal but he shall serve without compensation.
- (d) The State Fire Marshal shall employ or acquire such office and clerical employees, equipment, furniture, supplies and paraphernalia as may be necessary for the orderly administration of his office.
- (e) The State Fire Marshal, his Deputy or Deputies, and other members of his office in addition to their salaries, shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

§ 6607. Same -- Duties and Powers.

- (a) The State Fire Marshal, or his Deputy or Deputies, shall enforce all laws and ordinances of the State and the several counties, cities and political subdivisions thereof having to do with:
 - (1) Prevention of fires;
 - (2) The storage, sale and use of any explosive, combustible or other dangerous article in solid, liquid or gas form;
 - (3) The installation and maintenance of equipment of all sorts intended for fire control, detection and extinguishment;

- (4) The means and adequacy of exit, in case of fire, from buildings and all other places in which numbers of persons work, live or congregate from time to time for any purpose, except buildings used wholly as dwelling houses containing no more than 2 families;
- (5) The suppression of arson.
- (b) The State Fire Marshal, or his Deputy or Deputies, shall assist any chief of any recognized fire company upon requesting of such chief.
- (c) The State Fire Marshal, or his Deputy or Deputies, shall enforce the regulations promulgated by the State Fire Prevention Commission as authorized by 6603 of this title.
- (d) The State Fire Marshal, or his Deputy or Deputies, shall require the administrative heads of public and private schools and educational institutions to have at least 1 fire drill each month when said schools are in session and to keep all doors and exits unlocked during school hours.
- (e) The State Fire Marshal, or his Deputy or Deputies, shall inspect all state and county owned institutions, all schools, theatres, churches and other places of public assembly as to fire exits and reasonable safety standards and report his findings and recommendations to the proper administrative heads.
- (f) The State Fire Marshal, or his Deputy or Deputies, may at any time investigate as to the origin or circumstances of any fire or explosion occurring in the State and may at all reasonable hours enter any building or premises within his jurisdiction for the purpose of making an inspection or investigation, which, under the provisions of this chapter, he may deem necessary to be made.
- (g) The State Fire Marshal, or his Deputy or Deputies, shall have the authority to issue subpoenas in the enforcement of this chapter.

(Note: See Chapter 69, Section 6917(j), Title 29, D.C. regarding placement of fire alarms for handicapped.)

§ 6611. Maintenance of Fire Hazard, Violations of Regulations or Chapter; Enforcement; Remedies and Penalties.

- (a) No person shall erect, construct, reconstruct, alter, maintain or use any building, structure or equipment or use any land in such a way to endanger life or property from the hazards of fire or explosion or in violation of any regulation or any provision of or any change thereof promulgated by the State Fire Prevention Commission under the authority of this chapter.
- (b) Whoever knowingly violates such regulations, provisions or change or any provision of this chapter shall be fined not more than \$100 or imprisoned not more than 10 days or both.
- (c) Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues after knowledge or official notice that same is illegal shall be deemed a separate offense.
- (d) In case any building, structure or equipment is or is proposed to be erected, constructed, reconstructed, altered, maintained or used, or any land is or is proposed to be used in such a way to endanger life or property from the hazards of fire or explosion or in violation of this chapter or of any regulation or provision of any regulation or change thereof promulgated by the State Fire Prevention Commission under the authority granted by this chapter, the State Fire Prevention Commission, the State Fire Marshal or the Attorney General may, in addition to other remedies provided by law, institute injunction, mandamus, abatement or any other appropriate action or

actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

- (e) The State Fire Marshal, or his Deputy or Deputies, may make arrests of person violating offenses under this section or of person violating any of the laws of this State relating to fires or burning.
- (f) Justices of the peace shall have jurisdiction over offenses under this section.

§ 6612. Annual Report; Financial Statement; Budget.

- (a) The State Fire Prevention Commission shall annually, on or before the 30th day of September, transmit to the Governor a full report of its proceedings under this chapter and such statistics as it may wish to include therein. It shall also recommend any amendments to the law which in its judgement shall be desirable.
- (b) Along with the annual report, the State Fire Prevention Commission shall transmit a financial statement showing all expenditures and income of the State Fire Prevention Commission covering the preceding 12 months, starting July 1 and ending June 30.
- (c) In the even numbered years the State Fire Prevention Commission shall submit to the Budget Commission a budget showing proposed expenditures for the biennium beginning July 1 next succeeding.